

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION No. 1:04-CV-11686

VANTAGE FINANCIAL SERVICES, INC.

Plaintiff,

v.

NONPROFIT SERVICE GROUP AND
GEORGE E. MILLER,

Defendants.

**AFFIDAVIT OF SERVICE OF
PROCESS**

I, Neal J. Bingham, hereby depose and state as follows:

1. I am an attorney licensed to practice before the Courts of the Commonwealth of Massachusetts and I am an attorney with Davis, Malm & D'Agostine, P.C.
2. I am counsel for the plaintiff in this action, Vantage Financial Services, Inc. ("Plaintiff").
3. On July 15, 2004, I sent copies of Plaintiff's Complaint, Civil Action Cover Sheet and Summons and Order of Notice to the defendants, Nonprofit Service Group and George E. Miller, via certified mail in accordance with Mass. R. Civ. P. 4(e) and the Massachusetts Long-Arm Statute, G.L. c. 223A, § 6(9)(5).
4. Nonprofit Service Group received copies of the Complaint, Civil Action Coversheet and Summons and Order of Notice by certified mail on July 19, 2004 and the return receipt was signed and returned. (Copies of the United States Postal certified return receipt and the Summons and Order of Notice are attached hereto as Exhibit A and Exhibit C, respectively.)

5. George E. Miller received copies of the Complaint, Civil Action Coversheet and Summons and Order of Notice by certified mail on July 19, 2004 and the return receipt was signed and returned. (Copies of the United States Postal certified return receipt and the Summons and Order of Notice are attached hereto as Exhibit B and Exhibit C, respectively.)

Signed under the pains and penalties of perjury this 4th day of August 2004.

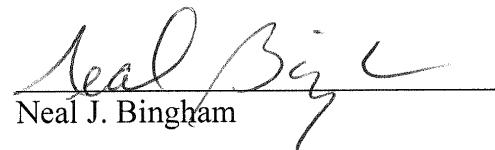

Neal J. Bingham

Exhibit A

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <input checked="" type="checkbox"/> <i>Sierra Onz</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>Sierra Onz</i> <input type="checkbox"/> C. Date of Delivery <i>2001</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below: <i>ROSLYN STATION MAILING</i></p>	
<p>1. Article Addressed to:</p> <p>Nonprofit Service Group 1601 North Kent Street, Suite 1201 Arlington, VA 22209 Attn: George E. Miller, Esq.</p>		<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>2. Article Number <i>(Transfer from service label)</i></p>		<p>7001 1940 0005 3547 8064</p>	

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

Exhibit B

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

George E. Miller, Esq.
 Non Profit Service Group
 1601 North Kent Street, Suite 1201
 Arlington, VA 22209

2. Article Number*(Transfer from service label)*

7001 0320 0003 7772 9244

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-0835

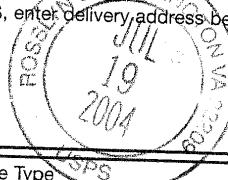
COMPLETE THIS SECTION ON DELIVERY**A. Signature**

Sherri Cruz
Sherri Cruz

Agent
 Addressee

B. Received by (Printed Name)*Sherri Cruz***C. Date of Delivery**

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

**3. Service Type**

- | | |
|--|---|
| <input checked="" type="checkbox"/> Certified Mail | <input type="checkbox"/> Express Mail |
| <input type="checkbox"/> Registered | <input type="checkbox"/> Return Receipt for Merchandise |
| <input type="checkbox"/> Insured Mail | <input type="checkbox"/> C.O.D. |

4. Restricted Delivery? (Extra Fee) Yes

Exhibit C

SUFFOLK, ss.

Commonwealth of Massachusetts



SUPERIOR COURT DEPARTMENT
OF THE TRIAL COURT
CIVIL ACTION

No. 04-3088-BLS

VANTAGE FINANCIAL SERVICES, INC.

, Plaintiff(s)

v.

NONPROFIT SERICE GROUP, ET AL

, Defendant(s)

SUMMONS AND ORDER OF NOTICE

To the above-named Defendant: s: NONPROFIT SERVICE GROUP and GEORGE E. MILLER

D'Agostine

You are hereby summoned and required to serve upon Laurence M. Johnson, Esq./Davis, Malm & plaintiff's attorney, whose address is One Boston Place Boston, Ma 02108, an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You are also required to file your answer to the complaint in the office of the Clerk of this court at Boston either before service upon plaintiff's attorney or within a reasonable time thereafter.

Unless otherwise provided by Rule 13(a), your answer must state as a counterclaim any claim which you may have against the plaintiff which arises out of the transaction or occurrence that is the subject matter of the plaintiff's claim or you will thereafter be barred from making such claim in any other action.

WE ALSO NOTIFY YOU that application has been made in said action, as appears in the complaint, to show cause re: Prayer #1 for a ~~preliminary injunction~~ and that a hearing upon such application will be held at the court house at said Boston of our said court on Wednesday, in Ctrm. 6, 15th Flr. BLS sess the fourth day of August 2004, at 2:00 ^{P.M.} o'clock ~~AM~~, at which time you may appear and show cause why such application should not be granted.

Witness, Suzanne V. DelVecchio, Esquire, at Boston, the fourteenth day of July, in the year of our Lord two thousand and four.

Asst. / Clerk/Magistrate

NOTES.

1. This summons is issued pursuant to Rule 4 of the Massachusetts Rules of Civil Procedure.
2. When more than one defendant is involved, the names of all defendants should appear in the caption. If a separate summons is used for each defendant, each should be addressed to the particular defendant.

PROOF OF SERVICE OF PROCESS

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I hereby certify and return that on July 15, 2004, I served a copy of the within summons

and order of notice, together with a copy of the complaint in this action, upon the within-named defendant, in the following manner (See Mass. R. Civ. P. 4 (d) (1-5):

by mailing, via certified mail return receipt requested in accordance with Mass. R. Civ. P. 4(e) and the Massachusetts Long Arm Statute, G.L. c. 223A, sec. 6(9)(5) copies of the complaint, civil action cover sheet and Summons and Order of Notice.

Dated: August 4, 2004.

N.B. TO PROCESS SERVER:—

PLEASE PLACE DATE YOU MAKE SERVICE ON DEFENDANT IN
THIS BOX ON THE ORIGINAL AND ON COPY SERVED ON DEFENDANT.

, 200

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT DEPARTMENT
OF THE TRIAL COURT
CIVIL ACTION
No. 1:04-cv-11686

Vantage Financial Services, Inc., Plaintiff

1

Nonprofit Service Group and
George E. Miller, Deft(s).

SUMMONS
(Mass. R. Civ. P. 4)
AND
ORDER OF NOTICE
ON
APPLICATION FOR PRELIMINARY
INJUNCTION

APPLICATION FOR PRELIMINARY